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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
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2011 MAR 30 A 8:20

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
TELESPHERE ACCESS, LLC FOR
APPROVAL OF A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
PROVIDE RESOLD LONG DISTANCE,
RESOLD LOCAL EXCHANGE, FACILITIES-
BASED LOCAL EXCHANGE, AND
FACILITIES-BASED LONG DISTANCE
TELECOMMUNICATION SERVICES IN
ARIZONA.

DOCKET NO. T-20675A-09-0214

**STAFF'S RESPONSE TO
CHARLES EASTWOOD'S MOTION
TO INTERVENE**

Arizona Corporation Commission

DOCKETED

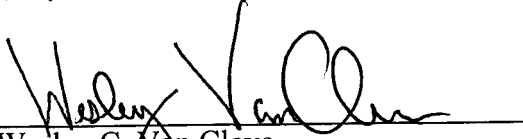
MAR 30 2011

DOCKETED BY

The Utilities Division ("Staff") of the Arizona Corporation Commission ("the Commission") hereby responds to the Motion to Intervene ("Motion") filed by Mr. Charles Eastwood on February 18, 2011. Staff has reviewed Mr. Eastwood's Motion and it appears that the majority, if not all, of the issues Mr. Eastwood raises go beyond the scope of the application that Telesphere Access L.L.C. ("Telesphere") filed with the Commission for approval of a certificate of convenience and necessity to provide resold long distance, resold local exchange, and facilities-based long distance telecommunications in Arizona. Arizona Administrative Code R14-3-105(B) clearly indicates that "no application for leave to intervene shall be granted where by so doing the issues theretofore presented will be unduly broadened, except upon leave of the Commission first had and received." Staff is very concerned that the issues Mr. Eastwood will inject into this proceeding will unduly broaden the scope of this proceeding. However, Mr. Eastwood did timely file his Motion in compliance with the procedural order the Administrative Law Judge ("ALJ") issued on January 7, 2011 and the timeframe set forth in A.A.C. R14-3-105. While Staff does not oppose granting Mr.

1 Eastwood's intervention, the ALJ should limit the issues he presents during the hearing to those that
2 are specifically relevant to the application that Telesphere filed.

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4 RESPECTFULLY SUBMITTED this 30th day of March, 2011.

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6 
7 Wesley C. Van Cleve
8 Attorney, Legal Division
9 Arizona Corporation Commission
10 1200 West Washington Street
11 Phoenix, Arizona 85007
12 (602) 542-3402

13
14 **Original and thirteen (13) copies of
15 the foregoing filed this 30th day of
16 March, 2011, with:**

17 Docket Control
18 Arizona Corporation Commission
19 1200 West Washington Street
20 Phoenix, Arizona 85007

21
22 **Copy of the foregoing mailed this
23 30th day of March, 2011, to:**

24 Kristopher Twomey
25 TELESPHERE ACCESS, LLC
26 1725 I Street, N.W., Suite 300
27 Washington, DC 20006

28 Michael Targett, Legal Counsel
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